

No. 98

# MICHIGAN SENATE

## DAILY CALENDAR

FRIDAY, DECEMBER 29, 2006  
11:00 a.m.

### MOTIONS

1

**SB 246** Sen. Emerson  
School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for.  
Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.  
**Motion to discharge Committee on Appropriations pending.**

2

**SB 1242** Sen. Switalski  
Torts; product liability; immunity from liability for drugs that have been approved by federal food and drug administration; rescind.  
Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).  
**Motion to discharge Committee on Government Operations pending.**

### MESSAGES FROM THE GOVERNOR

3

**SB 272** Sen. Switalski  
Appropriations; general government; general government; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Wednesday, September 28, 2005.**  
For veto message, see Senate Journal No. 87 of 2005, page 1760.  
**Vetoed line items pending.**

4

**SB 271** Sen. Scott  
Appropriations; human services; department of human services; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Wednesday, September 28, 2005.**  
For veto message, see Senate Journal No. 87 of 2005, page 1760.  
**Vetoed line items pending.**

5

**SB 264** Sen. Barcia  
Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Wednesday, September 28, 2005.**  
For veto message, see Senate Journal No. 87 of 2005, page 1761.  
**Vetoed line items pending.**

### MESSAGES FROM THE GOVERNOR

6

**SB 274** Sen. Clarke  
Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Thursday, September 29, 2005.**  
For veto message, see Senate Journal No. 87 of 2005, page 1762.  
**Vetoed line items pending.**

7

**SB 281** Sen. Barcia  
Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Friday, September 30, 2005.**  
For veto message, see Senate Journal No. 87 of 2005, page 1762.  
**Vetoed line items pending.**

8

**SB 175** Sen. Brown  
Economic development; other; tax incentives for distribution and warehousing facilities; provide for.  
Amends sec. 2 of 1974 PA 198 (MCL 207.552).  
**Vetoed by Governor, Thursday, November 17, 2005.**  
For veto message, see Senate Journal No. 105 of 2005, page 2258.  
**Veto pending.**

9

**SB 236** Sen. Johnson  
Appropriations; zero budget; capital outlay; provide for fiscal year 2005-2006 and to make, supplement, and adjust appropriations for certain state departments for fiscal years 2005 and 2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Monday December 19, 2005.**  
For veto message, see Senate Journal No. 1, page 5.  
**Vetoed line items pending.**

10

**SB 892** Sen. Hardiman  
Human services; employment and training; work first participation requirements; revise.  
Amends sec. 57f of 1939 PA 280 (MCL 400.57f) & adds secs. 57s, 57t, 57u & 57v.  
**Vetoed by Governor, Tuesday, December 27, 2005.**  
For veto message, see Senate Journal No. 1, page 6.  
**Veto pending.**

## MESSAGES FROM THE GOVERNOR

11

**SB 893** Sen. Cropsey

Human services; services or financial assistance; sanctions for noncompliance; revise.

Amends 1939 PA 280 (MCL 400.1- 400.119b) by adding secs. 57q & 57r.

**Vetoed by Governor, Tuesday, December 27, 2005.**

**For veto message, see Senate Journal No. 1, page 6.**

**Veto pending.**

12

**SB 956** Sen. Stamas

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2005-2006.

Creates appropriation act.

**Approved by Governor, with line item vetoed, Friday, February 3.**

**For veto message, see Senate Journal No. 10, page 161.**

**Vetoed line item pending.**

13

**SB 957** Sen. Cassis

Single business tax; credit; alternative tax rate and percentage reduction in tax liability; revise.

Amends sec. 36 of 1975 PA 228 (MCL 208.36).

**Vetoed by Governor, Friday, February 3.**

**For veto message, see Senate Journal No. 10, page 162.**

**Veto pending.**

14

**SB 179** Sen. Stamas

Labor; youth employment; youth employment standards; revise maximum number of hours a minor may work.

Amends sec. 11 of 1978 PA 90 (MCL 409.111).

**Vetoed by Governor, Friday, March 3.**

**For veto message, see Senate Journal No. 22, page 372.**

**Veto pending.**

15

**SB 1026** Sen. Hardiman

Administrative procedure; rules; rule or exception to a rule; clarify in regard to the presence or lack of a collective bargaining agreement with employees.

Amends sec. 32 of 1969 PA 306 (MCL 24.232).

**Vetoed by Governor, Thursday, March 23.**

**For veto message, see Senate Journal No. 31, page 565.**

**Veto pending.**

16

**SB 1027** Sen. Cropsey

Human services; adult foster care; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit.

Amends sec. 10 of 1979 PA 218 (MCL 400.710).

**Vetoed by Governor, Thursday, March 23.**

**For veto message, see Senate Journal No. 31, page 565.**

**Veto pending.**

## MESSAGES FROM THE GOVERNOR

17

**SB 1028** Sen. Sanborn

Human services; other; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit.

Amends secs. 1 & 6 of 1939 PA 280 (MCL 400.1 & 400.6).

**Vetoed by Governor, Thursday, March 23.**

**For veto message, see Senate Journal No. 31, page 565.**

**Veto pending.**

18

**SB 372** Sen. Toy

Local government; public services; certain city managed water and sewer systems; provide for regionalization of.

Creates new act.

**Vetoed by Governor, Friday, March 31.**

**For veto message, see Senate Journal No. 34, page 701.**

**Veto pending.**

19

**SB 973** Sen. Hammerstrom

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question language.

Amends sec. 32 of 1954 PA 116 (MCL 168.32) & repeals sec. 22e of 1954 PA 116 (MCL 168.22e).

**Vetoed by Governor, Friday, May 12.**

**For veto message, see Senate Journal No. 46, page 981.**

**Veto pending.**

20

**SB 974** Sen. Kuipers

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question petitions.

Amends sec. 474 of 1954 PA 116 (MCL 168.474).

**Vetoed by Governor, Friday, May 12.**

**For veto message, see Senate Journal No. 46, page 981.**

**Veto pending.**

21

**SB 975** Sen. Bishop

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot questions.

Amends sec. 474a of 1954 PA 116 (MCL 168.474a).

**Vetoed by Governor, Friday, May 12.**

**For veto message, see Senate Journal No. 46, page 981.**

**Veto pending.**

## MESSAGES FROM THE GOVERNOR

22

**SB 976** Sen. Cropsey

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question petitions.

Amends sec. 476 of 1954 PA 116 (MCL 168.476).

**Vetoed by Governor, Friday, May 12.**

**For veto message, see Senate Journal No. 46, page 981.**

**Veto pending.**

23

**SB 242** Sen. Johnson

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2004-2005.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Thursday, May 25.**

**For veto message, see Senate Journal No. 52, page 1138.**

**Vetoed line items pending.**

24

**SB 297** Sen. Cropsey

Vehicles; motorcycles; requirement of wearing crash helmets; provide exceptions under certain circumstances.

Amends sec. 658 of 1949 PA 300 (MCL 257.658).

**Vetoed by Governor, Friday, June 23.**

**For veto message, see Senate Journal No. 64, page 1446.**

**Veto pending.**

25

**SB 1085** Sen. Scott

Appropriations; education; department of education; provide for fiscal year 2006-2007.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Thursday, August 10.**

**For veto message, see Senate Journal No. 77, page 1989.**

**Vetoed line items pending.**

26

**SB 1086** Sen. Barcia

Appropriations; environmental quality; department of environmental quality; provide for fiscal year 2006-2007.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Tuesday, August 15.**

**For veto message, see Senate Journal No. 77, page 1990.**

**Vetoed line items pending.**

27

**SB 1094** Sen. Barcia

Appropriations; natural resources; department of natural resources; provide for fiscal year 2006-2007.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Tuesday, August 15.**

**For veto message, see Senate Journal No. 77, page 1990.**

**Vetoed line items pending.**

## MESSAGES FROM THE GOVERNOR

28

**SB 50** Sen. Johnson

Liquor; licenses; "catering permit" for on-premises licensees to serve alcohol at locations other than the licensed premises under certain circumstances; provide for.

Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 545.

**Vetoed by Governor, Friday, September 22.**

**For veto message, see Senate Journal No. 86, page 2224.**

**Veto pending.**

## THIRD READING OF BILLS

29

**SB 229** Sen. Hammerstrom

Insurance; health care corporations; coverage for certain mental health and substance abuse treatment; provide that coverage cannot be more restrictive than coverage for medical treatment.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 416e.

**Reported by Committee on Health Policy.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

30

**SB 337** Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

**Reported by Committee on Commerce and Labor.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

31

**HB 4849** Rep. Schuitmaker

Occupations; real estate; real estate broker responsibilities under exclusive service provision agreements; clarify.

Amends sec. 2512 of 1980 PA 299 (MCL 339.2512) & adds sec. 2512d.

**I.E. House, October 5, 2005.**

**House substitute (H-1).**

**Reported by Committee on Economic Development, Small Business and Regulatory Reform.**

**Committee recommended I.E.**

32

**HB 4850** Rep. Green

Occupations; real estate; real estate broker responsibilities under an exclusive service provision agreement; provide as part of agency disclosure.

Amends sec. 2517 of 1980 PA 299 (MCL 339.2517).

**I.E. House, October 5, 2005.**

**House substitute (H-1).**

**Reported by Committee on Economic Development, Small Business and Regulatory Reform.**

**Committee recommended I.E.**

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**THIRD READING OF BILLS**


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33

**SB 230** Sen. Hammerstrom

Insurance; health; coverage for certain mental health and substance abuse treatment; provide that coverage cannot be more restrictive than coverage for medical treatment.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406s.

**Reported by Committee on Health Policy.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

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**GENERAL ORDERS**


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34

**SB 196** Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

**Reported by Committee on Education.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

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35

**SB 183** Sen. McManus

Vehicles; equipment; use of child safety restraint system or booster seat for certain children; require.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

**Reported by Committee on Transportation.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

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36

**SB 262** Sen. George

Vehicles; equipment; waiver of fines for certain child car restraint system violations; provide for under certain circumstances.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

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37

**SB 314** Sen. Hammerstrom

Vehicles; equipment; child restraint safety seat; require to be in rear seat if vehicle has rear seat and remove nursing child exemption.

Amends sec. 710d of 1949 PA 300 (MCL 257.710d).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

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38

**SB 491** Sen. Kuipers

Traffic control; violations; penalties for failure to properly restrain a child less than 16 years of age in a vehicle; increase for second or subsequent violations.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

**Reported by Committee on Transportation.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

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**GENERAL ORDERS**


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39

**SB 1041** Sen. Birkholz

Vehicles; equipment; use of rear seat child safety restraint system for children 12 and under; require under certain circumstances.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

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40

**SB 1189** Sen. Goschka

State; bonds; bond cap in the state building authority; increase.

Amends sec. 8 of 1964 PA 183 (MCL 830.418).

**Reported by Committee on Appropriations.**

**Committee recommended I.E.**

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41

**SB 382** Sen. Bishop

Income tax; credit; donation to educational foundations and certain other educational organizations; provide for credit.

Amends sec. 260 of 1967 PA 281 (MCL 206.260).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

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42

**HB 5633** Rep. Hoogendyk

State; symbol; English; establish as the official state language.

Creates new act.

**House substitute (H-2).**

**Reported by Committee on Local, Urban and State Affairs.**

**Committee recommended I.E.**

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43

**HB 5021** Rep. Green

Single business tax; credit; credits and deductions for contributions to individual development accounts; allow.

Amends sec. 9 of 1975 PA 228 (MCL 208.9) & adds sec. 35e.

**I.E. House, July 26, 2006.**

**House substitute (H-2).**

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

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44

**SB 1350** Sen. Cropsey

Elections; election officials; recommendation of the director of elections concerning sufficiency or insufficiency of a ballot question petition; provide that the recommendation is approved unless disapproved by the board of state canvassers.

Amends sec. 476 of 1954 PA 116 (MCL 168.476).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

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## GENERAL ORDERS

45

**SB 1351** Sen. Cropsey

Elections; election officials; recommendation of the director of elections concerning sufficiency or insufficiency of a nominating petition; provide that the recommendation is approved unless disapproved by the board of state canvassers.

Amends sec. 552 of 1954 PA 116 (MCL 168.552).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

46

**SB 1352** Sen. Cropsey

Elections; election officials; recommendation of the director of elections concerning sufficiency or insufficiency of a qualifying petition; provide that the recommendation is approved unless disapproved by the board of state canvassers.

Amends sec. 590f of 1954 PA 116 (MCL 168.590f).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

47

**SB 361** Sen. Basham

State; purchasing; requirement for state agencies to avoid purchasing products containing mercury under certain circumstances; implement.

Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 261d.

**Reported by Committee on Natural Resources and Environmental Affairs.**

**Committee recommended I.E.**

48

**HB 6294** Rep. Casperson

Appropriations; supplemental; allocation of tobacco securitization trust funds to statewide network of cord blood stem cell banks; provide for.

Creates appropriation act.

**House substitute (H-3).**

**Reported by Committee on Health Policy.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

49

**SB 1452** Sen. Hammerstrom

Consumer protection; privacy; social security numbers in documents submitted to register of deeds for recordation; require redaction in certified copies unless prohibited by law.

Amends sec. 1 of 1836 PA 25 (MCL 565.581).

**Reported by Committee on Local, Urban and State Affairs.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

## GENERAL ORDERS

50

**SB 1453** Sen. Hammerstrom

Consumer protection; privacy; social security numbers in documents submitted to register of deeds for recordation; require redaction by person submitting document unless prohibited by law.

Amends sec. 1 of 1937 PA 103 (MCL 565.201).

**Reported by Committee on Local, Urban and State Affairs.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

51

**SB 1454** Sen. Hammerstrom

Consumer protection; privacy; social security numbers in documents submitted to register of deeds for recordation; require redaction by register of deeds unless prohibited by law.

Amends sec. 1 of 1867 PA 20 (MCL 565.491).

**Reported by Committee on Local, Urban and State Affairs.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

52

**SB 1518** Sen. Cropsey

Property; other; uniform statutory rule against perpetuities; limit to real property.

Amends secs. 2 & 5 of 1988 PA 418 (MCL 554.72 & 554.75).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

53

**HB 6365** Rep. Schuitmaker

Property; other; rule of perpetuities; abolish.

Amends title & sec. 3 of 1949 PA 38 (MCL 554.53) & repeals 1988 PA 418 (MCL 554.71 - 554.78).

**I.E. House, September 21, 2006.**

**For House amendments, see House Journal No. 83, page 2639.**

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

54

**HB 6366** Rep. Schuitmaker

Probate; trusts; reference to rule against perpetuities in probate law; delete.

Amends secs. 2702 & 2722 of 1998 PA 386 (MCL 700.2702 & 700.2722).

**I.E. House, September 21, 2006.**

**For House amendments, see House Journal No. 83, page 2640.**

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

## GENERAL ORDERS

55

**HB 4636** Rep. Hildenbrand

Trade; consumer goods and services; sale of certain consumer items without item pricing; allow under certain conditions.

Amends secs. 1 & 3 of 1976 PA 449 (MCL 445.351 & 445.353) & adds secs. 3a & 3b.

**I.E. House, November 29, 2006.**

**House substitute (H-2).**

**Reported by Committee on Commerce and Labor.**

**Committee recommended I.E.**

56

**HB 5205** Rep. Kahn

Use tax; exemptions; certain eligible motion picture production companies; provide exemption.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4z.

**I.E. House, November 8, 2005.**

**House substitute (H-2).**

**Committee on Finance discharged, Wednesday, December 13.**

57

**HB 5206** Rep. Sheen

Single business tax; credit; certain eligible motion picture production company costs; provide credit.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35d.

**I.E. House, November 8, 2005.**

**House substitute (H-4).**

**Committee on Finance discharged, Wednesday, December 13.**

58

**HB 5207** Rep. Virgil Smith

Single business tax; credit; certain eligible motion picture production companies' costs; provide credit.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35e.

**I.E. House, November 8, 2005.**

**House substitute (H-2).**

**Committee on Finance discharged, Wednesday, December 13.**

59

**HB 5209** Rep. Ball

State; other; policies and standards regarding the use of state owned property; establish for motion picture production companies.

Amends sec. 21 of 2001 PA 63 (MCL 399.721).

**I.E. House, November 8, 2005.**

**House substitute (H-1).**

**Committee on Finance discharged, Wednesday, December 13.**

## GENERAL ORDERS

60

**HB 6358** Rep. Proos

Public utilities; restructuring; oversight of proposed mergers, sales, or acquisitions of public utilities; clarify.

Amends 1939 PA 3 (MCL 460.1 - 460.10cc) by adding sec. 6r.

**I.E. House, September 20, 2006.**

**House substitute (H-2).**

**Committee on Technology and Energy discharged, Wednesday, December 13.**

**Senate substitute (S-1).**

61

**HB 4079** Rep. Palmer

Education; other; educational flexibility and empowerment contracts waiving certain statutory and administrative requirements as part of performance contract; allow.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1290.

**I.E. House, June 7, 2005.**

**House substitute (H-2).**

**Reported by Committee on Education.**

**Committee recommended I.E.**

62

**HB 4080** Rep. Palmer

School aid; other; school aid requirements; make subject to educational flexibility and empowerment contracts.

Amends 1979 PA 94 (MCL 388.1601 - 388.1772) by adding sec. 9.

**I.E. House, June 7, 2005.**

**House substitute (H-1).**

**Reported by Committee on Education.**

**Committee recommended I.E.**

63

**HB 5310** Rep. Baxter

Higher education; financial aid; merit award scholarships; add citizenship requirement.

Amends sec. 7b of 1999 PA 94 (MCL 390.1457b).

**House substitute (H-1).**

**Reported by Committee on Education.**

**Committee recommended I.E.**

## RESOLUTIONS

64

**SR 71** Sen. Schauer

A resolution to memorialize the President and the Congress of the United States to increase funding for home heating assistance to cope with the rise in natural gas costs expected this winter.

**Reported by Committee on Technology and Energy.**

**For text of resolution, see Senate Journal No. 90 of 2005, page 1932.**

**Adoption pending.**

NO MEETINGS ON TODAY'S CALENDAR

## BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed To	
		Senate	House	Senate	House
SB 1080	Appropriations; agriculture; department of agriculture; provide for fiscal year 2006-2007.	Brown Jelinek Barcia	Hansen (C) Walker Brown		
SB 1087	Appropriations; general government; general government; provide for fiscal year 2006-2007.	Garcia McManus Switalski	Acciavatti (C) Taub Gonzales		
SB 1089	Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2006-2007.	George McManus Clarke	Amos (C) Taub Cheeks		
SB 1090	Appropriations; human services; department of human services; provide for fiscal year 2006-2007.	Hardiman Cropsey Scott	Shaffer (C) Kahn Kolb		
SB 1091	Appropriations; judiciary; judiciary budget; provide for fiscal year 2006-2007.	Cropsey Hardiman Prusi	Steil (C) Stewart Cushingberry		
SB 1092	Appropriations; labor and economic growth; department of labor and economic growth; provide for fiscal year 2006-2007.	Garcia George Prusi	Brandenburg (C) Amos Kolb		
SB 1093	Appropriations; military affairs and state police; department of military and veterans affairs; provide for fiscal year 2006-2007.	Brown Stamas Clarke	Caul (C) Walker Sak		
SB 1096	Appropriations; state police; department of state police; provide for fiscal year 2006-2007.	Brown Stamas Clarke	Caul (C) Walker Sak		
SB 1097	Appropriations; transportation; state transportation department; provide for fiscal year 2006-2007.	Johnson Stamas Prusi	Taub (C) Acciavatti Hood		
HB 5786	Appropriations; zero budget; Michigan strategic fund; provide for fiscal year 2006-2007.	Garcia McManus Switalski	Brandenburg Amos Kolb		
HB 5789	Appropriations; zero budget; multisection school aid bill; provide for fiscal year 2006-2007.		Moolenaar Farhat Plakas		